IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MINNESOTA

Alan Blackburn,

Case No. 04-CV-3082 (RHK/RLE)

Plaintiff,

VS.

STIPULATION OF DISMISSAL WITH PREJUDICE

State of Minnesota, Minnesota Department of Revenue, Dan Salomone, Lori Johnson, Wende O'Brien, Thomas Maier,

Defendants.

WHEREAS, the above-entitled action has been fully compromised and settled,

NOW THEREFORE, it is hereby stipulated and agreed, by and between Plaintiff Alan Blackburn and Defendants State of Minnesota, Minnesota Department of Revenue, Dan Salomone, Lori Johnson, Wende O'Brien, and Thomas Maier, through their respective counsel, that the above-entitled matter, together with all causes of action and claims that were or that might have been alleged therein, may be and are dismissed on the merits with prejudice, and that the Court may enter and file the attached Order.

Dated: September 1, 2004. Dated: September 13, 2004.

s/Geoffrey R. Surtees GEOFFREY R. SURTEES KY Bar #89063 Attorneys For Plaintiff American Center For Law & Justice 6375 New Hope Road New Hope, KY 40052

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